

AMENDMENT TO THE DRAWINGS

Please replace FIG. 1 with the enclosed "Replacement Sheet".

REMARKS

This Amendment is in response to the Office Action dated July 13, 2006, in which claims 1, 3-4 and 9-14 were rejected. Claims 2, 5-8 and 14-20 were previously canceled. Applicant respectfully requests reconsideration and allowance of all pending claims.

On page 2 of the Office Action, claims 1 and 3 were objected to because of informalities. By way of this Amendment, page 4 of the specification and FIG. 1 have been amended based on suggestions in the Office Action. Support for these amendments can be found in the originally filed claims and drawings. Therefore, the rejection should be withdrawn.

On page 3 of the Office Action, claims 1, 3-4, 9-10 and 12 were rejected under 35 U.S.C. §102(e) as being anticipated by Lowery et al., U.S. Patent No. 6,250,973.

For a prior art reference to anticipate in terms of 35 U.S.C. 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990) (Emphasis Added.)

The above requirement for anticipation is not met in the rejection of claims 1, 3-4, 9-10 and 12 under 35 U.S.C. 102(e), based upon Lowery.

Claim 1 includes “an electrical insulator between the first contact and the second contact to mechanically connect the contacts together and to align the surface of the first contact and the surface of the second contact against the surface of such post and thereby form a Kelvin connection to such post, wherein the first contact, the second contact and the insulator form a closed loop that is used to encircle such battery post.” (Emphasis added.)

The Office Action suggests that Lowery (column 2, lines 45-47) shows this element. That language of Lowery states that, in the assembled condition shown in FIG. 1, the connector 10 may be disposed over a battery post with the post terminals extending through the openings 15, 17 in the insulator 14 and conductors 12. However, in the assembled condition shown in FIG. 1, connector 10 of Lowery includes an opening or gap 28 in conductor 12 and insulator 14, which is in contrast with the claim 1 requirement of the first contact, the second contact and the insulator forming a closed loop that is used to encircle such battery post. Thus, Lowery does not anticipate claim 1. Claims 3-4, 9-10 and 12 are allowable at least by virtue of their dependency either directly

or indirectly from the allowable independent claim 1.

On page 5 of the Office Action, claims 11 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Lowery et al.


Claims 11 and 13 depend from independent claim 1. As noted above, Lowery includes an opening or gap 28 in conductor 12 and insulator 14 and therefore does not teach the elements of claims 1. Further, Lowery suggests nothing about the first contact, the second contact and the insulator forming a closed loop that is used to encircle such battery post. Thus, claims 11 and 13 are non-obvious over Lowery.

In light of the above amendments and remarks, all pending claims are in form for allowance. Reconsideration and allowance of these claims is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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